

U.S. Patent Application No. 10/565,494
Response to Restriction Requirement dated April 10, 2008
Reply to Office Action of March 28, 2008

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REMARKS/ARGUMENTS

At page 2 of the Office Action, the Examiner is requesting that the applicant restrict this application to one of the two inventions as follows:

- I. Claims 1-6 and 8-11, drawn to protein chip reagents and kits.
- II. Claims 7 and 12-15, drawn to test methods.

To be responsive, the applicants elect, with traverse, Group I, directed to claims 1-6 and 8-11 for examination.

For the following reasons, the restriction requirement is respectfully traversed.

With regard to all of the claims, it is respectfully submitted that all claims should be examined at this time since there appears to be no serious burden on the part of the Examiner to search the entire scope of the claims. It is believed that the subject matter has the same concept from the standpoint that the searches would overlap. Under M.P.E.P. § 803, if there is no serious burden in the examination of all of the claims even if the claims are directed to separate inventions, the Examiner must examine all claims at this time. It would appear that § 803 applies to the current situation and therefore the restriction requirement should be withdrawn and all claims should be examined at this time.

If there are any fees due in connection with the filing of this response, please charge the fees to Deposit Account No. 50-0925. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such extension is requested and should also be charged to said Deposit Account.

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Respectfully submitted,



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